



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331

Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

May 10, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

52 May 10, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION  
OF DRAINAGE EASEMENT SOUTHEAST OF VALLEY BOULEVARD  
IN THE UNINCORPORATED COMMUNITY OF WALNUT  
(SUPERVISORIAL DISTRICT 1)  
(3 VOTES)**

### **SUBJECT**

This action will allow the County of Los Angeles to vacate an easement for drainage purposes southeast of Valley Boulevard in the unincorporated community of Walnut, which is no longer needed for public use. The vacation has been requested by the underlying property owner to enhance the property and provide an additional buildable area.

### **IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for drainage purposes southeast of Valley Boulevard in the unincorporated community of Walnut has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that the easement for drainage purposes southeast of Valley Boulevard in the unincorporated community of Walnut has been superseded by relocation and there are no other public facilities located within the easement and that it may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.

4. Adopt the Resolution of Summary Vacation.

5. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar Recorder/County Clerk.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easement for drainage purposes southeast of Valley Boulevard (Easement) in the unincorporated community of Walnut, since it no longer serves the purpose for which it was dedicated and is not required for public use.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The vacation of the Easement will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,000 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The drainage easement area to be vacated contains approximately 1,515 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333(c) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has been superseded by relocation or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

The County's interest in the Easement was recorded on November 3, 1931, as Instrument No. 872, in Book 11154, page 374, of Official Records, in the office of the Los Angeles County Registrar-Recorder/County Clerk as an easement for drainage purposes.

Seaboard Engineering Company, on behalf of the underlying property owner, Pomona Holding Company, LLC, requested the vacation of the Easement to enhance its property and provide an additional buildable area.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement. Your action will result in the property being unencumbered by the Easement and available to the underlying property owner for use without restriction of the Easement.

### **ENVIRONMENTAL DOCUMENTATION**

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will allow for additional property taxes through the vacation of the unnecessary drainage easement.

### **CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid.

GAIL FARBER  
Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset  
Management)  
Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office

**RESOLUTION OF SUMMARY VACATION  
OF DRAINAGE EASEMENT SOUTHEAST OF VALLEY BOULEVARD**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for drainage purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, southeast of Valley Boulevard, is located in the unincorporated community of Walnut in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easement has been superseded by relocation, and there are no other public facilities located within the easements.
4. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
5. The Director of Public Works is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will no longer be a public easement.
6. From and after the date this resolution is recorded, the Easement will no longer constitute a public service easement.

The foregoing resolution was on the 10 day of May, 2011,  
adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the  
governing body of all other special assessment and taxing districts for which said Board  
so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By Gale Suzuki for Rosa Linda Cruz Deputy      By [Signature] Deputy

GT:mr

P:\mppub\admin\maria\SOUTHEAST VALLEY BLVD RES ENCLOSURE.doc



## EXHIBIT A

Project Name: **DRAINAGE EASEMENT  
SOUTHEAST OF VALLEY  
BOULEVARD 24-51VAC**

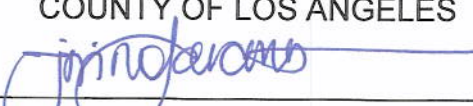
Affects : San Jose Creek 34-RW 27  
A.I.N. 8709-026-004  
T.G. 640-A5  
I.M. 114-337  
R.D. 117  
S.D. 1  
M0888111

### LEGAL DESCRIPTION

**PARCEL NO.24-51VAC** (Vacation of drainage easement):

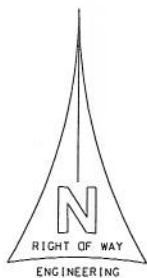
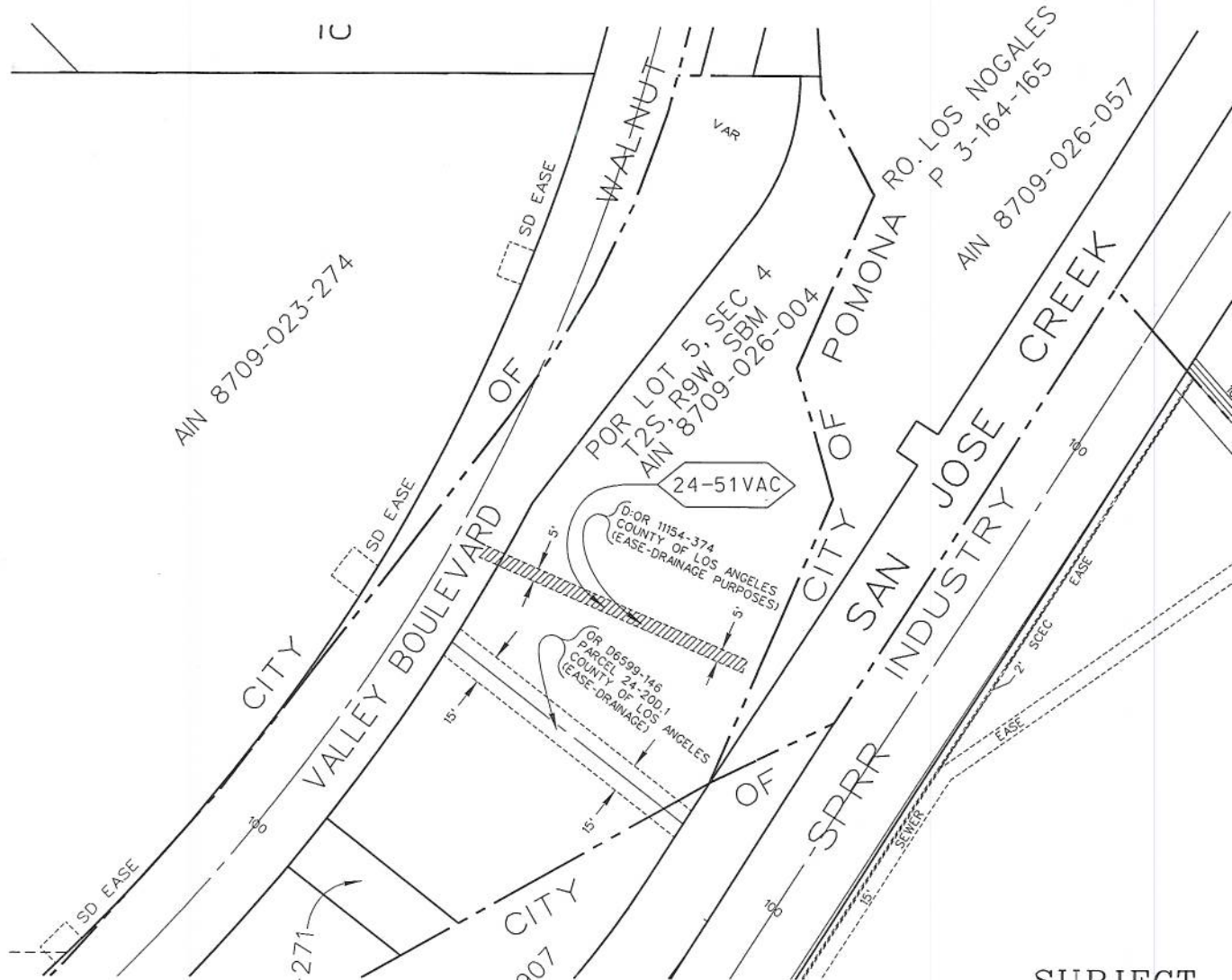
That portion of Lot 5, Section 4, Township 2 South, Range 9 West, S.B.M. and that portion of Rancho Los Nogales, as shown on map recorded in Book 3, pages 164 and 165, of Patents, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within that certain 5-foot wide strip of land described in deed to the County of Los Angeles, recorded on November 3, 1931, in Book 11154, page 374, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Containing: 1515± square feet.

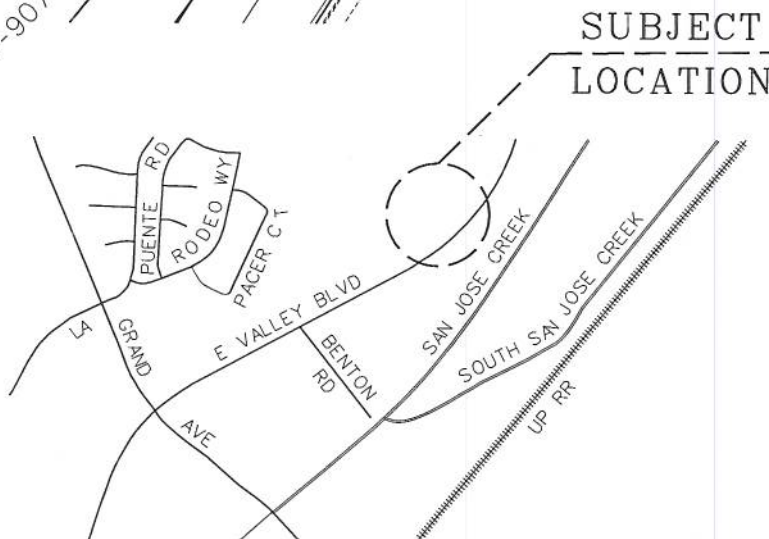
APPROVED AS TO DESCRIPTION
<u>March 28</u> , <u>2011</u>
COUNTY OF LOS ANGELES
By <u></u>
SUPERVISING CADASTRAL ENGINEER III
Survey/Mapping and Property Management Division

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.





## EXHIBIT B



### LEGEND



Proposed vacation of  
drainage easement.  
Total Area = 1515± s.f.

### REVISIONS

1.

2.

3.

### DEPARTMENT OF PUBLIC WORKS

### SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

SD.

RD.

A.I.N.

T.G.

1

117

8709-026-004

640-A5

SCALE  
NONE

DATE  
3-24-11

I.M.  
114-337

DRAINAGE EASEMENT  
SOUTHEAST OF  
VALLEY BOULEVARD

DRAWING NO.  
M0888111